

ON 11/11/18 SWT

Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NCIN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO. 4:17-CR-35-4FL

UNITED STATES OF AMERICA :
 :
 v. :
 :
 COLLIN LEE WHITAKER, JR. :

ORDER OF FORFEITURE

In the Criminal Indictment in the above action, the United States sought forfeiture of property of the defendant, pursuant to 21 U.S.C. § 853, as proceeds of the unlawful activity of the defendant as charged in the Criminal Indictment, and of firearms and ammunition pursuant to 21 U.S.C. § 853.

The defendant pled guilty to Count One of the Criminal Indictment, that is, the defendant's guilty plea to an offense in violation of 21 U.S.C. § 846, and agreed to forfeit the property listed in the Criminal Indictment, that is, an amount of \$4,360.00, which was agreed to by the parties as representing the value of proceeds the Defendant personally obtained as a result of his offense, and any firearm or ammunition recovered, specifically, a Companhia Brasileira De Cartuchos (CBC) model 715T, 22 caliber rifle, serial number EMC3666347, and any and all related ammunition.

By virtue of the defendant's guilty plea and agreement, the United States is now entitled to the defendant's interest in \$4,360.00 which was agreed to by the parties as representing the value of proceeds the Defendant personally obtained as a result of his offense, pursuant to 21 U.S.C. § 853, and to possession of the firearms and ammunition, pursuant to 21 U.S.C. § 853;

Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. That based upon the agreement contained in the Memorandum of Plea Agreement as to the defendant, COLLIN LEE WHITAKER, JR., the United States is hereby authorized to seize the above-stated personal property, that is, any firearm or ammunition recovered, specifically, a Companhia Brasileira De Cartuchos (CBC) model 715T, 22 caliber rifle, serial number EMC3666347, and any and all related ammunition, and they are hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3);


2. That based upon the defendant's guilty plea and agreement, the above-listed \$4,360.00 which was agreed to by the parties as representing the value of proceeds the Defendant personally obtained as a result of his offense is forfeited to the United States for disposition in accordance with the law; and

3. Any and all forfeited funds shall be deposited by the U. S. Department of Justice or the U. S. Department of the

Treasury, as soon as located or recovered, into the U. S. Department of Justice's Assets Forfeiture Fund or the U. S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

Upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendant immediately.

SO ORDERED. This 11 day of August, 2018.



LOUISE W. FLANAGAN
United States District Judge